

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte DAVID S. WEHRLE, CARL R. SCHUMAKER,  
GREGG M. SICHNER, and JOHN P. CASPERS

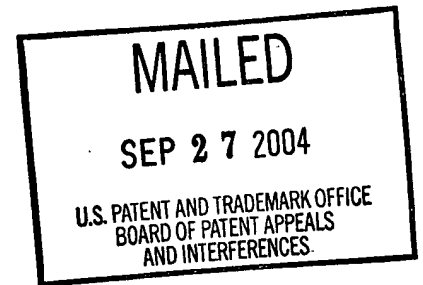
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Appeal No. 2004-1813  
Application No. 09/546,089

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REMAND TO EXAMINER

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Appellant filed a Petition To Accept Unintentionally Delayed Claim For Priority (Paper No. 19) on September 4, 2004. There is no indication on the record that the petition was considered or acted on.

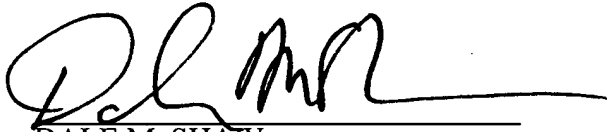
Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of appellant's Petition To Accept Unintentionally Delayed Claim For Priority (Paper No. 19) and for any further action as may be deemed appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', written over a horizontal line.

DALE M. SHAW

Program and Resource Administrator  
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CF/dpv

Appeal No. 2004-1813  
Application No. 09/546,089

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